

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
LAS VEGAS FIELD OFFICE**

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed Environmental Assessment (EA) *Right-of-Way for Road and Drainage and Related Facilities on Federal Land DOI-BLM-NV-S010-2014-0142-EA* dated March 2015. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action with the project design specifications, including minimization or mitigation measures identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context:

Clark County has applied for permanent roadway, and/or drainage, and related facilities Right-of-Way's (ROW), and associated short term construction ROW's.

The permanent ROW's include; a portion of Duneville Street south of Shelbourne Avenue; a portion of Shelbourne Avenue east of Duneville Street; and a portion of Shelbourne Avenue east of Buffalo Drive. These portions of roadway and/or drainage and related facilities will provide service to residential, commercial, and municipality development in the area. The proposed roadway, drainage and related facilities are designed to accommodate the anticipated public needs associated with current and planned development in the area, and comply with the current Clark County planning for the area.

The short term ROW's are for use during construction and are contiguous with the associated permanent facilities to be installed along Duneville Street and along Shelbourne Avenue west of the Railroad

Intensity:

1) *Impacts that may be both beneficial and adverse.*

The EA has considered both beneficial and adverse impacts of the proposed permanent ROW's for roadway and/or drainage facilities and the associated short term ROW for use during construction. The proposed project's and improvements are in conformance with state and municipal land use plans, and comply with federal, state, and local regulations. On the whole, the project's will result in allowing for safe ingress and egress in the area for the public and additional protection from storm water flows. Due to the small amount of proposed disturbance and close proximity to previously authorized actions (road, utility lines), the proposed project is

not considered to have significant long or short term impacts.

2) The degree to which the proposed action affects public health or safety.

Public health and safety will be enhanced by providing safe and reliable public access and storm water protection for development in the area.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The proposed project is located in the Las Vegas Valley in Clark County, Nevada on lands that are either disturbed or have typical vegetation and geological characteristics for the area.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects of the proposed project are not anticipated to be highly controversial due to the small amount of new disturbance and proximity to urban development.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no highly uncertain, unique, or unknown risks associated with the proposed action. During all phases and aspects of the proposed action, compliance with federal, state, and local regulations as well as the stipulations identified in the EA will be required. Issuance of a ROW's by BLM does not preclude the applicants' responsibility to obtain the necessary state and local permits/authorization prior to initiating construction activities.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not establish a precedent for future actions as the Southern Nevada Las Vegas Field Office has processed numerous applications for similar actions in the past. The proposed action is in conformance with the Las Vegas Resource Management Plan, and state and local plans. Any future actions which are similar in scope would require further review to determine the appropriate level of analysis and conformance with the current land use plan.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The proposed permanent ROW areas are located in a developed urban area interspersed with federal lands. Past and current development in the area consists of residential and commercial with numerous supporting ROW's for utilities, the Union Pacific Rail Road and public uses such as roadway, drainage, and sewer. The ROW's and subsequent installation of the roadway and/or drainage facilities is consistent with the existing land use actions in the area and those analyzed in the Las Vegas RMP EIS, ROD signed October 5, 1998 and the Las Vegas Valley Disposal Boundary EIS, ROD signed December 23, 2004.

By complying with the relevant mitigation measures identified in the EA and the stipulations for this project no significant cumulative impacts are expected.

8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.*

A cultural survey of the area was conducted in support of the 2004 Valley Disposal Boundary EIS. No historical properties were found. The Nevada State Historic Preservation Office (SHPO) concurred on the adequacy of the report.

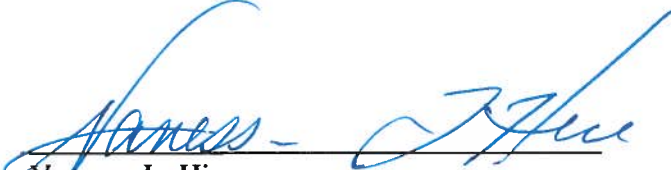
9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the ESA of 1973.*

This project lies within the boundaries of the Programmatic Biological Opinion (84320-2010-F-0365.R003) on federal lands and falls within low density tortoise habitat. The proposed action will result in the loss of approximately 1.37 acres of tortoise habitat. If tortoises are not noticed and avoided during construction and maintenance activities, desert tortoises could be either injured or killed (by crushing) or harassed (by being moved out of harm's way).

This project will have no affect on any other federally listed species or designated critical habitat. All activities within the new/modified right-of-way/lease area shall be in compliance with the terms and conditions of Biological Opinion File No. 84320-2010-F-0365.R003. Any activities associated with the proposed action on non-federal (private) lands will have to comply with "The Final Clark County Multiple Species Habitat Conservation Plan and Environmental Impact Statement for Issuance of a Permit to Allow Incidental Take of 79 Species in Clark County, Nevada" finalized September 2000.

10) *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

Based on the analysis presented in the EA, the proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.


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Date